

Priscilla Hill-Ardoin
Senior Vice President-FCC

SBC Telecommunications, Inc.
1401 I Street, N.W.
Suite 1100
Washington, D.C. 20005
Phone 202 326-8836
Fax 202 289-3699

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MAR 17 2000 EX PARTE OR LATE FILED

March 16⁷, 2000

Ex Parte Submission

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Application of SBC Communications Inc. Pursuant to Section 271
of the Telecommunications Act of 1996 to Provide In-Region,
InterLATA Services in Texas, CC Docket No. 00-4*

Dear Ms. Salas:

Attached for filing are the following materials that respond to direct requests of Commission staff: 1) a discussion of SWBT's interconnection trunk installation timeliness for CLECs as compared to installation of access trunks for interexchange carriers and 2) a discussion of SWBT's policy regarding connection of unbundled local transport to access services.

A copy of this letter is enclosed. Please let me know if you have any questions about this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Priscilla Hill-Ardoin".

cc: Ms. Blue
Ms. Egler
Ms. Stephens
Ms. Wright
Ms. Farroba, Texas PUC
Ms. Heisler, DOJ
ITS

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Comparison of CLEC to IXC Trunk Installation Intervals

The chart below compares statewide results for Performance Measurement 78 - Average Interconnection Trunk Installation Interval, to installation intervals for IXC access trunks. Intervals are stated in business days.

<u>Month</u>	<u>CLEC</u>	<u>IXC</u>
Aug. 99	15.64	11.08
Sept. 99	15.96	12.58
Oct. 99	17.94	10.06
Nov. 99	18.18	13.54
Dec. 99	22.80	13.24
Jan. 00	25.94	15.13

The Texas PUC determined that there is no appropriate analog for installation of CLEC trunks, and therefore established a 20 business day benchmark. See Dysart Aff. Attach. A at 100 (Texas PUC business rule). Indeed, the above chart does not present a meaningful comparison.

First, IXCs' trunk networks are mature, as evidenced by the fact that 97% of the IXC trunk orders contain only 1 circuit. By contrast, the CLEC local networks are not mature and traffic is increasing rapidly as new customers are added. This is evidenced by the fact that for December 1999 and January 2000, CLEC interconnection trunk requests in Texas were issued with an average of 254 circuits per order.

Second, due to the small quantities of circuits per order for IXC trunk requests, SWBT is able to offer the IXCs a customer-desired due date. Since the CLEC interconnection trunk orders average 254 circuits, however, SWBT offers the CLECs a standard 20 business day interval. CLECs in fact often request due dates greater than 20 days. For example, in December 1999, 32.6% of CLEC orders were requested to be installed outside the 20 business day interval. In January 2000, 56.3% of the CLEC orders were requested for outside the standard interval. In addition, due dates were missed due to the CLEC not being ready on 48.9% of the orders in December and 32.5% of the orders in January. These facts provide further evidence that the 20 day standard interval is an appropriate reference point for SWBT's provisioning performance.

As shown in Southwestern Bell's statewide tracking/chart results, SWBT met the Texas PUC's benchmark for interconnection trunk installation in 4 of the 6 months from August 1999 through January 2000. *See Southwestern Bell's February 25, 2000 Ex Parte.* This measurement was discussed in the Affidavit of William Dysart at paragraphs 566 through 570, and in Mr. Dysart's Reply Affidavit at paragraphs 57-64.

COMBINATION OF ACCESS SERVICES AND LOCAL TRANSPORT

Global Crossing has asserted that SWBT refused to provide unbundled local transport service. Global Crossing Comments at 6-7. Global Crossing cites an example in Houston where Global Crossing had an OC-3, provisioned for carrying access traffic, which Global Crossing wanted to use to carry Global Crossing's local traffic to its point of presence for switching.

Southwestern Bell believes the facts to be as follows. Global Crossing purchased an access service from SWBT's access tariff. Subsequently, Global Crossing attempted to connect unbundled local transport elements to that access service. This is not a permissible use of the tariffed access service under the governing interconnection agreement with SWBT. Global Crossing currently has an interconnection agreement with SWBT in Texas under the name of Frontier Local Services. The Texas SWBT/Frontier Local Services interconnection agreement states in Appendix – UNE, § 2.11.8: "Unbundled Network Elements may not be connected to or combined with SWBT access services or other SWBT tariffed service offerings with the exception of tariffed collocation services." The same provision is found in the Texas 271 Agreement, Attach. 6: UNE, § 2.2.

This issue of combining access service with UNEs is addressed in paragraph 8 of the Reply Affidavit of Michael Auinbauh.